

DISTRICT ATTORNEYS

Budget Summary						FTE Position Summary				
Fund	2012-13 Adjusted Base	Request		2013-15 Change Over Base Year Doubled		2012-13	Request		2014-15 Over 2012-13	
		2013-14	2014-15	Amount	%		2013-14	2014-15	Number	%
GPR	\$41,895,100	\$46,330,500	\$49,789,100	\$12,329,400	14.7%	380.90	429.70	429.70	48.80	12.8%
PR	<u>3,311,900</u>	<u>3,020,100</u>	<u>3,023,600</u>	<u>- 580,100</u>	- 8.8	<u>44.00</u>	<u>42.00</u>	<u>42.00</u>	<u>- 2.00</u>	- 4.5
TOTAL	\$45,207,000	\$49,350,600	\$52,812,700	\$11,749,300	13.0%	424.90	471.70	471.70	46.80	11.0%

Major Request Items

1. STANDARD BUDGET ADJUSTMENTS

GPR	- \$132,400
PR	<u>1,375,800</u>
Total	\$1,243,400

Request standard adjustments to the base totaling -\$66,200 GPR and \$687,900 PR annually. Adjustments are for: (a) turnover reduction (-\$203,300 GPR annually); (b) full funding of continuing salaries and fringe benefits (\$42,200 GPR and \$687,900 PR annually); and (c) night and weekend differential (\$94,900 GPR annually).

2. ADDITIONAL GPR PROSECUTOR POSITIONS

	Funding	Positions
GPR	\$7,950,100	48.80
PR	<u>- 1,758,200</u>	<u>0.00</u>
Total	\$6,191,900	48.80

Request \$3,584,100 GPR and 48.8 GPR positions and -\$879,100 PR in 2013-14, and \$4,366,000 GPR and 48.8 GPR positions and -\$879,100 PR in 2014-15, to provide the following additional prosecutors to District Attorney (DA) offices across the state:

New Assistant District Attorney (ADA) Positions. Request \$2,345,700 GPR in 2013-14 and \$3,127,600 GPR in 2014-15, and 45.75 GPR-funded ADA positions annually to provide additional prosecutors requested by the following DA offices, effective October 1, 2013:

<u>County</u>	<u>Current GPR Prosecutor Positions</u>	<u>Additional GPR ADA Positions</u>	<u>County</u>	<u>Current GPR Prosecutor Positions</u>	<u>Additional GPR ADA Positions</u>
Ashland	1.75	0.25	Marquette	1.00	0.50
Barron	3.00	1.00	Milwaukee	87.00	3.00
Brown	13.00	3.00	Monroe	3.00	3.00
Dane	26.85	12.00	Oconto	1.50	1.00
Dodge	4.00	2.00	Portage	4.00	1.00
Eau Claire	8.00	1.00	Racine	18.00	3.00
Fond du Lac	5.00	2.00	St. Croix	5.20	1.00
Kenosha	15.00	2.00	Walworth	5.00	1.00
La Crosse	8.00	3.00	Wood	<u>4.00</u>	<u>4.00</u>
Marinette	2.50	2.00	Total	215.80	45.75

Convert PR-Funded ADA Positions to GPR Funding. Request \$879,100 GPR annually and request offsetting reductions of \$879,100 PR annually to convert PR ADA positions to GPR funding. These DA offices indicate that federal and private funding supporting the current positions may be lost during the 2013-15 biennium. The positions would include 10.0 ADA positions in Milwaukee County and 2.50 ADA positions in Marathon County. [Note: Program revenue funded position reductions and offsetting GPR-funded position increases were inadvertently not requested.]

Increase Existing Part-Time ADA Position Authority. Request \$302,200 GPR and 3.05 GPR positions annually to increase part-time prosecutor positions to full-time in the following DA offices.

<u>County</u>	<u>Additional ADA Position Authority</u>	<u>County</u>	<u>Additional ADA Position Authority</u>
Ashland	0.25	St. Croix	0.80
Chippewa	0.25	Sauk	0.50
Columbia	0.25	Waushara	<u>0.50</u>
Oconto	0.50	Total	3.05

Full-Time District Attorney in Florence County. Request \$57,100 GPR annually to increase the half-time (0.50 FTE) elected DA in Florence County to full-time. [Note: The associated position authority was inadvertently not requested.]

3. PAY PROGRESSION

GPR	\$4,714,100
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Request \$1,018,700 in 2013-14 (\$880,100 in permanent position salary funding and \$138,600 in fringe benefits funding), and \$3,695,400 in 2014-15 (\$3,192,600 in permanent position salary funding and \$502,800 in fringe benefits funding), to provide pay progression compensation increases for state prosecutors. This request includes funding for pay progression

compensation increases for both assistant district attorneys (ADAs) and deputy district attorneys. [Note that 2011 Act 238 which created the pay progression provisions only provided pay progression compensation increases to ADAs.] The request provides funding: (a) to increase each prosecutor's compensation to the next highest pay progression step in 2013-14; and (b) to provide a 10% increase in compensation for each prosecutor in 2014-15, except for prosecutors in Brown, Jefferson, Outagamie, Ozaukee, and Winnebago Counties whose elected DAs requested funding for one pay progression step.

Under 2011 Act 238, the Legislature created an annual pay progression plan for ADAs to provide increased compensation for prosecutors. The pay progression plan consists of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest salary (\$49,429) and the highest salary (\$119,471) for ADAs contained in the state compensation plan. Under the 2011-13 state compensation plan, a salary step currently equals \$4,120. Beginning July 1, 2014, a supervising DA may increase the hourly salary of an ADA by an hourly salary step, or part thereof, above the prosecutor's hourly salary on the immediately preceding June 30. Notwithstanding the creation of a 17 hourly salary step pay progression plan, supervising DAs are authorized to: (a) deny annual salary increases to individual ADAs; and (b) increase the salary of individual ADAs by up to 10% per year. Currently, at the minimum annual salary of \$49,429, a 10% annual wage increase (\$4,942.90) exceeds the value of the current hourly step (\$4,120). There is no base funding for the pay progression system for ADAs created under Act 238. Assistant district attorneys are the only class of attorneys in state government to have a statutorily established pay progression system to provide increased compensation.

4. GPR EXPENDITURE REDUCTIONS

GPR	- \$1,022,800
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Request the deletion of \$511,400 annually (\$369,800 in permanent position salary funding and \$141,600 in fringe benefits funding annually) to implement the reductions required of the DA function by the Department of Administration to permanently implement the lapse requirements of 2011 Act 32. [As permanent position authority is not deleted under the request, the funding may be restored to the DA function under the state pay plan supplementation process if it is requested and approved.]

5. SPECIAL PROSECUTION AND OTHER SUPPLIES AND SERVICES COSTS

GPR	\$450,000
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Request \$225,000 annually for increased supplies and services costs associated with special prosecutions, and other supplies and services costs including state risk management premiums, worker's compensation premiums, State Controller's Office financial services billings, Office of State Employment Relations assessment, State Historical Society billings, and the State Procurement Office assessment. Current base level funding for special prosecution and other supplies and services is \$223,200 annually.

Under current law, a court may appoint a special prosecutor on its own motion to perform the same duties as a state-employed prosecutor. Also, a DA may request that the court appoint a

special prosecutor to assist the DA in a prosecution, grand jury or John Doe proceeding, sexually violent person commitment proceeding, or in investigations. The state pays for the compensation of special prosecutors, while other expenses reimbursed to special prosecutors are paid by counties. A special prosecutor may typically be appointed when: (a) there is no DA; (b) the DA is absent; (c) the DA or a member of his or her staff have a conflict of interest; (d) the DA is unable to attend to his or her duties; (e) the DA is serving in the armed forces; (f) the DA is charged with a crime; (g) the DA is the subject of a John Doe proceeding; or (h) the DA cannot perform his or her duties due to a medical situation.

6. FIFTH WEEK OF VACATION AS CASH

GPR	\$370,400
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Request \$185,200 annually to fund costs associated with fifth week of vacation as cash payments. Under current law, certain long-term employees may elect to receive a cash payment in lieu of a fifth week of paid vacation.

7. REMOVE PERMANENT POSITIONS FROM THE BASE

	Funding	Positions
PR	- 273,600	- 2.00

Request a reduction of \$136,800 (\$98,900 in permanent position salary funding and \$37,900 in fringe benefits funding) and 2.0 positions annually to eliminate 2.0 prosecutor positions in Milwaukee County for which federal grant funding to support the positions is no longer available.